

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

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**Remonte McDade  
Petitioner**

**vs**

**Case No. C-1-00-1016  
(Hogan, M.J.; Spiegel, J.)**

**Harry M. Russell,  
Respondent**

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**ORDER**

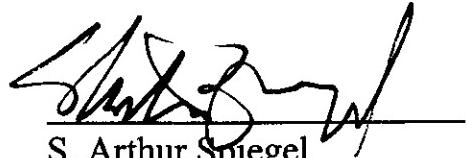
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Petitioner, a state prisoner, sought a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On August 7, 2003, this Court issued an Order denying petitioner's petition for a writ of habeas corpus. (Doc. 11). The Court granted a certificate of appealability with respect to petitioner's claim that the evidence was insufficient to support his conviction for attempted aggravated murder. (*Id.*). The Court further stated that an appeal of the Order would be taken in good faith, and upon a showing of financial necessity, petitioner may proceed *in forma pauperis* on appeal. (*Id.*). This matter is before the Court on petitioner's motion for *in forma pauperis* status on appeal. (Doc. 14).

Petitioner has submitted financial information (*see* Doc. 14) in an attempt to demonstrate that he is unable to pay or to give security for the fees and costs involved in his appeal. *See Fed. R. App. P. 24 (a)(1).* The information submitted demonstrates that petitioner is financially eligible for

indigent status. Accordingly, petitioner's motion for *in forma pauperis* status on appeal (Doc. 14) is GRANTED. See Fed. R. App. P. 24 (a); *Kincaid v. Sparkman*, 117 F.3d 949, 952 (6<sup>th</sup> Cir. 1997).

Date: 9/14/03  
hrt

  
S. Arthur Spiegel  
United States District Judge

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